S.B.Cr.Misc. Bail App. No. 4375/2007
(Ahmed Khan & Ors. Vs. State of Rajasthan)

Date of order : 17/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. J.S.Khichi for the petitioners.
Mr. V.R.Mehta, Public Prosecutor.
Mr. R.S.Choudhary for the complainant.

Heard learned counsel for the petitioners and the Public Prosecutor for the State assisted by counsel for the complainant. Perused the order impugned.

It is contended by learned counsel for the petitioners that a gas cylendar has been recovered from petitioner No.3 and so far as other petitioners are concerned, nothing has been recovered from them. It is further contended by counsel for the petitioners that similarly situated co-accused Hanif and Ayub Khan have been granted bail from whom Cooler and CD player respectively have been recovered and the case of the present petitioner is not distinguishable from the co-accused.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Ahmed Khan S/o Ilahi Bux,

Sardar Ali S/o Iqbal, Shamin Khan S/o Sharif Mohammed and Habib Ullah S/o Ilahi Bux, be released on bail in FIR No. 383/07 P.S. Sangaria, district Hanumangarh, provided each of them executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP